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Attorneys for Defendant,
 MAERSK LINE, LTD.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

SAMUEL GARRETT,

Plaintiff,

v.

MAERSK LINE LIMITED and DOES 1 –
 10, *in personam*, and M/V SEA-LAND
 EXPLORER and M/V SEA-LAND
 METEOR their engines, tackle, apparel,
 furniture, etc., *in rem*,

Defendants.

Case No.: C 07-03318 VRW

**STIPULATION AND
~~[PROPOSED]~~ ORDER
 REQUESTING THAT THE
 SETTLEMENT CONFERENCE
 SCHEDULED FOR SEPTEMBER
 8, 2008 BE VACATED**

The parties to this action, through their respective counsel, hereby stipulate and request that the Settlement Conference currently scheduled for Monday, September 8, 2008 be VACATED. The parties are jointly making this request because the plaintiff, a merchant seaman, is currently at sea and is not expected to return until the end of September 2008 and is therefore unavailable to attend the scheduled Settlement Conference. The parties must also complete additional discovery for any discussions at a Settlement Conference to become meaningful.

The parties therefore are also requesting that the Settlement Conference be re-scheduled to a date convenient to the Court and the parties once the additional discovery has been completed.

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Respectfully Submitted,

Dated: August 28, 2008

BANNING, MICKLOW & BULL
Attorneys for Plaintiff
SAMUEL GARRETT

By /S/ Edward M. Bull III
Edward M. Bull III

Dated: August 28, 2008

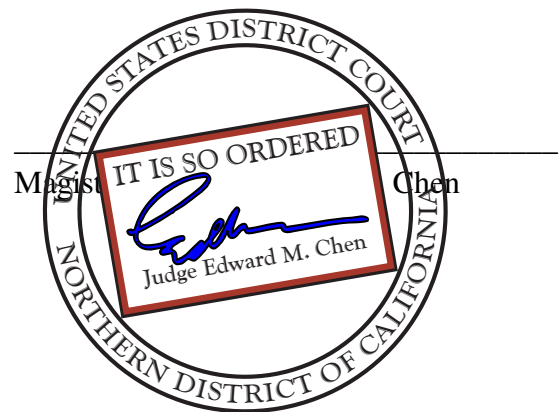
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Attorneys for Defendant,
MAERSK LINE, LTD.

By: /S/ Marc T. Cefalu
Terence S. Cox
Marc T. Cefalu

ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED that the above referenced Settlement Conference scheduled for September 8, 2008 is vacated. The parties are further ordered to meet and confer and to provide the Court with new proposed Settlement Conference dates by October 15, 2008.

Dated: September 2, 2008



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